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Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Monday, 28th November 1983 / 7th Agrahayana 1905 [No. 1431

GOVERNMENT OF KERALA

Food (D) Department

NOTIFICATION

G.O. (Rt) No. 406/83/Food. *Dated, Trivandrum, 28th November*, 1983.

S. R. O. No.1679/83.—In exercise of the powers conferred by sub-section (1) and clause (c) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the order of the Government of India, Ministry of Agriculture and Irrigation (Department of Food) No. GSR 800 dated the 9th June, 1978, published in the Gazette of India, Part II, section 3, sub-section (i) dated the 17th June, 1978 and in accordance with the proviso to clause 2 of the Kerala Paddy (Maximum Price) Order, 1968 and in supersession of the Notification G.O. (Rt) No. 394/82/Food dated the 27th November, 1982, published as S.R.O. No. 1455/82 in the Kerala Gazette Extraordinary No. 879 dated the 27th November, 1982, the Government of Kerala hereby fix the maximum price of levy/requisitioned paddy at Rs. 132 (Rupees one hundred and thirty-two only) per quintal.

By order of the Governor,

K. Achuthan Nair,
Joint Secretary.

83/5099/MG

Explanatory Note

In the Gazette Notification G.O. (Rt) No. 394/82/Food dated the 27th November, 1982, published as Gazette Extraordinary No. 879 dated the 27th November, 1982, the price of levy paddy was fixed at Rs. 122 per quintal. Government have since decided to fix the price of levy/requisitioned paddy at Rs. 132 per quintal for the 1983-84 marketing season. According to the provisions of the Kerala Paddy (Maximum Price) Order, 1968, the maximum price of paddy shall be fixed by Government by notification in the Gazette. Hence this notification.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 11662/LA4/83. *Dated, Trivandrum, 28th November,* 1983.

The Kerala Provisional Collection of Revenues Bill, 1983 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/5088/MC.

Seventh Kerala Legislative Assembly

Bill No. 80.

THE KERALA PROVISIONAL COLLECTION OF REVENUES BILL, 1983

A

BILL

to provide for the immediate effect for a limited period of provisions in Bills for giving effect to budget proposals.

Preamble.—WHEREAS the proposals relating to imposition or increase of taxes, duties, cesses, fees and other revenues in the budget speech for each financial year have to be given effect to with effect from the commencement of the financial year to which those proposals relate;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Provisional Collection of Revenues Act, 1983.

2. *Definitions.*—In this Act,—

(a) "declared provision" means a provision in a Bill in respect of which a declaration has been made under section 3;

(b) "Legislative Assembly" means the Legislative Assembly of the State of Kerala.

3. *Power to make declarations under this Act.*—Where a Bill to be introduced in the Legislative Assembly on behalf of the Government provides for the imposition or increase of any tax, duty, cess, fee or other revenue, the Government may cause to be inserted in the Bill a declaration that it is expedient in the public interest that any provision of the Bill relating to such imposition or increase shall have effect from the 1st day of April following the date of introduction of the Bill.

4. *Effect of declarations under this Act and duration thereof.*—(1) A declared provision shall have the force of law on the 1st day of April following the date on which the Bill containing it is introduced in the Legislative Assembly.

(2) A declared provision contained in a Bill shall cease to have the force of law under the provisions of this Act,—

(a) when it comes into operation as an enactment with or without amendment; or

(b) when the Government, in pursuance of a motion passed by the Legislative Assembly, directs, by notification in the Gazette, that it shall cease to have the force of law; or

(c) if it has not already ceased to have the force of law under clause (a) or clause (b), then on the expiry of one hundred and twenty days from the 1st day of April following the date on which the Bill containing it was introduced.

5. *Certain refunds to be made when declaration ceases to have effect.*—(1) Where a declared provision comes into operation as an enactment in an amended form before the expiry of the period referred to in clause (c) of sub-section (2) of section 4, refunds shall be made of all taxes, duties, cesses, fees and other revenues collected which would not have been collected if the provision adopted in the enactment had been the declared provision:

Provided that the rate at which refunds of any tax, duty, cess, fee or other revenue may be made under this sub-section shall not exceed the difference between the rate of such tax, duty, cess, fee or other revenue proposed in the declared provision and the rate of such tax, duty, cess, fee or other revenue in force immediately before the 1st day of April following the date of introduction of the Bill.

(2) Where a declared provision ceases to have the force of law under clause (b) or clause (c) of sub-section (2) of section 4, refunds shall be made of all taxes, duties, cesses, fees and other revenues collected which would not have been collected if the declaration in respect of it had not been made.

6. *Repeal.*—The Kerala Provisional Collection of Revenues Ordinance 1983, (32 of 1983), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

The State Budget for each financial year is usually presented in the Legislative Assembly during the third week of March of the preceding financial year. According to the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly, the Demands for Grants in the Budget are referred to the Subject Committees of the Legislative Assembly after a general discussion in the Legislative Assembly. The House will also be adjourned or prorogued till the reports of the Subject Committees are ready. The Budget will be passed by the Legislative Assembly after the reports of the Subject Committees are presented before the Assembly. According to the rules, the Subject Committees are allowed four weeks' time from the date of completion of the general discussion on the Budget, for completing the scrutiny of the Demands for Grants. Discussion and voting on each demand take place after the presentation of the reports of the Subject Committees before the Legislative Assembly. Consequently the Budget cannot normally be passed before the end of June.

2. Since the Legislative Assembly is adjourned or prorogued after completing the general discussion on the Budget, the Assembly does not get sufficient time during that session to pass the Bills for giving effect to the financial proposals in the Budget. Further, it would not also be proper to pass the Bills to implement the financial proposals in the Budget before the Budget is passed by the Legislative Assembly. Consequently, the taxation proposals can be given effect to only after three or four months from the commencement of the concerned financial year. This will result in very huge shortfall in revenue receipts estimated in the Budget for the relevant financial year.

3. In order to get over the above difficulty, it was decided to introduce, along with the Budget for every financial year, a Finance Bill to give effect to the financial proposals in the Budget and to enact a legislation on the lines of the Provisional Collection of Taxes Act, 1931 (Central Act 16 of 1931), to give effect to the provisions in the Finance Bill from the beginning of the financial year to which the proposals relate.

4. Since the Legislative Assembly was not in session, the Kerala Provisional Collection of Revenues Ordinance, 1983 (32 of 1983) was promulgated by the Governor on the 15th September, 1983 for the purpose of giving effect to the provisions of the Finance Bill from the beginning of the concerned financial year. The Bill seeks to replace the Ordinance by an Act of the Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 (2) (b) of the Bill seeks to empower the Government to direct, by notification in the Gazette, in pursuance of a motion passed by the Legislative Assembly, that a declared provision contained in a Bill shall cease to have the force of law. The power is to be exercised in pursuance of a motion passed by the Legislative Assembly. Therefore, the delegation of legislative power is of a normal character.

K. M. MANI.

Government of Kerala
1983

Reg. No. KL/TV(N)/



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കേരള നിയമസഭാ സെക്രട്ടേറിയറ്റ്

വിജ്ഞാപനം

നമ്പർ 11662/എൽ.എ.4/83. തിരുവനന്തപുരം, 1983 നവംബർ 28.

കേരള നിയമസഭയുടെ നടപടിക്രമവും കാര്യനിർവ്വഹണവും സംബന്ധിച്ച ചട്ടങ്ങളിലെ 69-ാം ചട്ടപ്രകാരം 1983-ലെ കേരള താൽക്കാലിക നികുതി പിരിക്കൽ ബിൽ ഉദ്ദേശകാരണങ്ങളുടെ വിവരണത്തോടും, ധനകാര്യ മെമ്മോറാണ്ഡത്തോടും, ഏല്പിച്ചുകൊടുത്ത നിയമനിർമ്മാണാധികാരം സംബന്ധിച്ച മെമ്മോറാണ്ഡത്തോടുംകൂടി പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഡോക്ടർ ആർ. പ്രസന്നൻ,
നിയമസഭാ സെക്രട്ടറി.

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33/5095/MC.

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1983



KERALA GAZETTE

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NOTICES

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any to the measurements made under section 8 of the Act.

Note.—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961 ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21-ാം ആക്ട്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത ഏജന്റു മൂലമോ താഴെ പറയുന്ന തീയതിയിലും സമയത്തും സ്ഥലത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങൾ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്ട് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല

33/5098/83/L.

ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്നു കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജൻറുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റേററ്മെൻറ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്.—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ചചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്ട് 11-ാം വകുപ്പുപ്രകാരം കളക്ററർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

(1)

B1-485/82. *24th November 1983.*

ഹാജരാകേണ്ട തീയതിയും സമയവും സ്ഥലവും:—1983 ഡിസംബർ 28-ാം തീയതി രാവിലെ 11 മണിക്ക് തൃശൂർ റെയിൽവെ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ.

PARTICULARS OF LANDS

District—Trichur. Taluk—Trichur.
Village—Pottore. Block No. 234.

Survey No.	*Description*	*Extent in Hectare*
592/2-3	Wet now Dry	0.0020
597/1-5	Dry	0.0010
597/2-6	Dry now Wet	0.0347
597/3-7	,,	0.0185
597/4-9	Dry	0.0488
	Total	0.1050

(2)

No. B1-773/82. *24th November 1983.*

ഹാജരാകേണ്ട തീയതിയും സമയവും സ്ഥലവും:—1983 ഡിസംബർ 30-ാം തീയതി രാവിലെ 11 മണിക്ക് തൃശൂർ റെയിൽവെ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ.

PARTICULARS OF LANDS

District—Trichur. Taluk—Trichur.

Village—Killannur.

Survey No.	*Description*	*Extent in Hectare*
264/1	Dry now Wet	0.0080
385/3-6	Wet	0.0018
393/1-13	Dry now Wet	0.0002
	Total	0.0100

Trichur.

(Sd.)
Land Acquisition Officer,
Special Tahsildar (L.A.)
Railways, Trichur.

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